

Section 1425, Pub. L. 89-563, title II, § 205, Sept. 9, 1966, 80 Stat. 729, provided that, in event of conflict, orders and regulations issued by Secretary under this subchapter and subchapter I of this chapter applicable to motor vehicle tires were to prevail over orders and interpretations issued by Federal Trade Commission. See section 30123 of Title 49.

Section 1426, Pub. L. 89-563, title II, § 206, as added Pub. L. 91-265, § 6, May 22, 1970, 84 Stat. 263, related to safety standards for retreaded tires.

SUBCHAPTER III—RESEARCH AND TEST FACILITIES

§ 1431. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section, Pub. L. 89-563, title III, § 301, as added Pub. L. 91-265, § 7, May 22, 1970, 84 Stat. 263; amended H. Res. 988, Jan. 3, 1975; S. Res. 4, Feb. 4, 1977; H. Res. 549, Mar. 25, 1980, related to facilities for research and testing in traffic safety. See section 30168 of Title 49, Transportation.

CHAPTER 39—FAIR PACKAGING AND LABELING PROGRAM

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 21 sections 379r, 379s, 1033, 1049, 1052.

§ 1451. Congressional declaration of policy

Informed consumers are essential to the fair and efficient functioning of a free market econ-

omy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

(Pub. L. 89-755, § 2, Nov. 3, 1966, 80 Stat. 1296.)

EFFECTIVE DATE

Section 13 of Pub. L. 89-755 provided that: "This Act [enacting this chapter] shall take effect on July 1, 1967: *Provided*, That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic, as those terms are defined by the Federal Food, Drug, and Cosmetic Act) [section 301 et seq. of Title 21, Food and Drugs], and the Commission (with respect to any other consumer commodity) may by regulation postpone, for an additional twelve-month period, the effective date of this Act [this chapter] with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest."

SHORT TITLE

Section 1 of Pub. L. 89-755 provided: "That this Act [enacting this chapter] may be cited as the 'Fair Packaging and Labeling Act'."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1454 of this title.

§ 1452. Unfair and deceptive packaging and labeling; scope of prohibition

(a) Nonconforming labels

It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this chapter) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this chapter and of regulations promulgated under the authority of this chapter.

(b) Exemptions

The prohibition contained in subsection (a) of this section shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

(Pub. L. 89-755, § 3, Nov. 3, 1966, 80 Stat. 1296.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1453, 1456 of this title.

§ 1453. Requirements of labeling; placement, form, and contents of statement of quantity; supplemental statement of quantity

(a) Contents of label

No person subject to the prohibition contained in section 1452 of this title shall distribute or